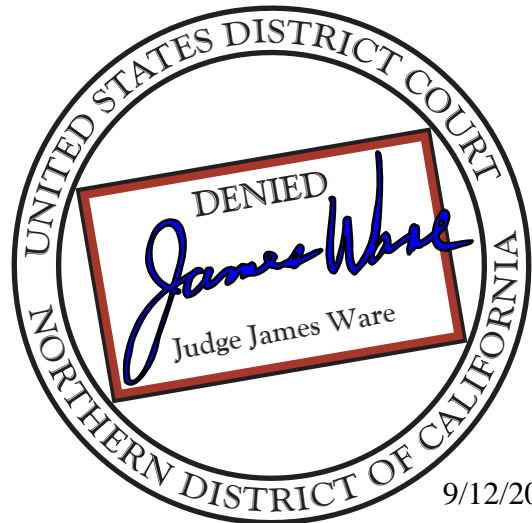


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 MINTEL LEARNING TECHNOLOGY, INC.



9/12/2007

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

MINTEL LEARNING TECHNOLOGY, INC., a
 California corporation,

Plaintiff,

v.

US IVY LEARNING NETWORKS, INC., a
 California corporation, and JAMES LIU, an
 individual, SHIN WEI, an individual, YIBIN
 VICKIE ZHANG, an individual, and ADVANTE
 INTERNATIONAL CORP., an Illinois
 corporation, d.b.a. Vanteus Academy, JISHARP
 INC., a Delaware corporation, CONGRUENT
 PARTNERS, LLC, a California limited liability
 company, JASON L. MA, an individual, and
 DOES 1-10,

Defendants.

Case No. C06-04994JW

**MINTEL'S STIPULATION AND
 [PROPOSED] ORDER CONTINUING
 HEARING DATE OF DEFENDANTS'
 MOTION TO DISMISS AND MOTION TO
 STAY**

Date: September 24, 2007
 Time: 9:00 a.m.
 Courtroom: 8, 4th Floor
 Judge: James Ware

Desired Date: November 26, 2007

WHEREAS, on July 5, 2007, Defendants US IVY LEARNING NETWORKS, INC., JAMES
 LIU, SHIN WEI, YIBIN VICKIE ZHANG, ADVANTE INTERNATIONAL CORP., JISHARP INC.,
 CONGRUENT PARTNERS, LLC, a California limited liability company, and JASON L. MA

1 (collectively “Defendants”) filed the pleading entitled “Motion to Dismiss Plaintiff’s Second Amended
2 Complaint Pursuant to FRCP 12(B)(6);

3 WHEREAS, on July 5, 2007, Defendants filed the pleading entitled Motion To Stay;

4 WHEREAS, Plaintiff MINTEL LEARNING TECHNOLOGY, INC. (“Mintel”) filed its
5 opposition to Defendants’ motion to dismiss on August 31, 2007.

6 WHEREAS, Defendants filed their reply to Mintel’s opposition to Defendants’ motion to
7 dismiss on September 10, 2007;

8 WHEREAS, a hearing on this motion is currently scheduled for September 24, 2007;

9 WHEREAS, due to scheduling conflicts, counsel for Plaintiff, Mintel requests that the hearing
10 on both Defendants’ motion to dismiss and motion to stay be continued, and that all outstanding dates
11 for opposition and reply to Defendants’ motion to stay be likewise moved in accordance with the Local
12 Rules;

13 WHEREAS, the parties have determined that a hearing on this motion can be set for November
14 26, 2007 at 9:00 a.m.;

15 WHEREAS, the parties have met and conferred and HEREBY STIPULATE that:

16 1. The hearing date of Defendants’ motion to dismiss and motion to stay on shall be
17 continued to November 26, 2007;

18 2. Mintel shall file its opposition to Defendants’ motion to stay no later than November 5,
19 2007.

20 3. Defendants shall file their reply in support of their motion to stay no later than
21 November 12, 2007.

1 Dated: September 10, 2007

HOWREY, LLP

2
3 By: /s/ Christopher Banys
4 Christopher Banys

5 Attorneys for Plaintiff
6 MINTEL LEARNING TECHNOLOGY, INC.

7
8 Dated: September 10, 2007

HAYES DAVIS BONINO ELLINGSON MCLAY
& SCOTT, LLP

9
10
11 By: /s/ Stephen Ellingson
12 Stephen Ellingson

13 Attorneys for Defendants
14 US IVY Learning Networks, Inc., James Liu, Shin
15 Wei, Yibin Vickie Zhang, Advante International
16 Corp., d.b.a. Vanteus Academy, JiSharp Inc.,
17 Congruent Partners, LLC, and Jason L. Ma

18 IT IS SO ORDERED. The Court DENIES the parties' request for
19 for continuance. The parties shall appear on September 24, 2007 at 9:00 AM for the scheduled
20 hearings.

21 Dated: September 12, 2007

22
23 
24 HON. JAMES WARE
25 UNITED STATES DISTRICT JUDGE
26
27
28

1 I, Christopher D. Banys, am the ECF User whose identification and password are being
2 used to file this Stipulation for Continuing Hearing Date of Defendants' Motion to Dismiss and
3 Motion to Stay. In compliance with General Order 45.X.B., I hereby attest that Stephen
4 Ellingson has concurred in this filing.

5 Dated: September 10, 2007

HOWREY LLP

6
7
8 By: /s/ Christopher Banys
Christopher Banys

9
10 Attorneys for Plaintiff
MINTEL LEARNING TECHNOLOGY,
11 INC.
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